NEBRASKA DEPARTMENT OF AGRICULTURE ORDER
No. 04142020


As a result of FDA’s Nutrition Labeling Guidance and Egg Guidance, the Nebraska Department of Agriculture (NDA) will allow food establishments to sell food which complies with these guidance documents as an exercise of its enforcement discretion of the Nebraska Pure Food Act, Neb. Rev. Stat. §§81-2,239 to 81-2,292.

NDA will also use its enforcement discretion to allow food establishments to sell food and other related items which do not meet all of the requirements of the Uniform Packaging and Labeling Regulation and the Uniform Regulation for the Method of Sale of Commodities adopted by reference in the Weights and Measures Act, Neb. Rev. Stat. §§89-182.01 to 89-1,103, so long as the food and items being sold are not being sold in a deceptive or misleading manner.

This action is necessary to protect the interests of Nebraska citizens as a result of the COVID-19 pandemic and will remain in effect until rescinded.

Dated the 14th day of April, 2020.

DEPARTMENT OF AGRICULTURE

Steve Wellman
Director